

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

NOV 02 2011

JULIA C. DUNLEY, CLERK
BY: *Dunley*
DEPUTY CLERK

In accordance with the memorandum opinion entered on this day, it is hereby
ORDERED and **ADJUDGED** that defendant's motion for summary judgment is **DENIED**.

The Clerk of the Court is directed to send a copy of this Order and accompanying Memorandum Opinion to plaintiff.

Enter: November 2, 2011.



UNITED STATES DISTRICT JUDGE